

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Establish Policies and Criteria to Authorize an Increase in the Rate of Return Allowed an Electrical Corporation on its Electric Plant Due to Sustainable Land and Resource Management Practices pursuant to Pub. Util. Code 454.3.

Rulemaking 03-03-015
(Filed March 13, 2003)

RULING OF ADMINISTRATIVE LAW JUDGE AND ASSIGNED COMMISSIONER SPECIFYING INITIAL INVENTORY REQUIREMENTS

1. Background

In the OIR that commenced this proceeding, the Commission identified an inventory of certain natural resources holdings to be submitted by the respondent utilities within 90 days. After receiving initial comments on the inventory, the assigned Commissioner, by ruling dated April 23, 2003, suspended the due date of the inventory, pending discussions at the prehearing conference (PHC). At the PHC, staff presented a draft refining the inventory requirements, which formed the basis of the discussion. The Administrative Law Judge (ALJ) instructed representatives of Pacific Gas and Electric Company (PG&E), San Diego Gas and Electric Company (SDG&E), Southern California Edison (Edison), and the California Resources Agency (Resources Agency) to

provide further comments to staff about the draft proposal and to attempt to reach agreement about final specifications for the inventory.¹

Over the course of several weeks following the PHC, staff and representatives of the utilities and the Resources Agency exchanged views about the staff draft and subsequent revisions to it. This Ruling reflects the results of those discussions, but does not incorporate all suggestions made to staff. Some information about which questions were raised to staff is already widely publicly available (*e.g.*, in the Draft Environmental Impact Report prepared in Application 99-09-053), and thus is being required here. In consideration of security concerns, information submitted on CD, a format susceptible of easy dissemination over the internet, will be submitted pursuant to the requirements of Pub. Util. Code § 583.

2. Initial Inventory Requirements

Not later than September 30, 2003, PG&E, SDG&E, and Edison must provide, based on currently available information, an inventory of all real estate presently owned (fee title) by the regulated utility, both within and outside California, including land in which the respondent utility owns a majority interest but other entities also have an ownership interest. The inventory must include:

1. Land used in the past for a generation facility;²

¹ The ALJ also instructed these parties to file a report within two weeks of the PHC on the progress of the discussions with staff. Because the discussions were proceeding toward agreement, the ALJ informally stated, in response to a question from counsel for Edison, that a report would be unnecessary at that time. This Ruling makes the report moot.

2. Land presently used for a generation facility;
3. Land currently planned for use for a generation facility;
4. Land used in the past or presently used for a substation that is adjacent to or co-located with a generation facility owned by the utility, if not identified in 1), 2), or 3);
5. Land within a Federal Energy Regulatory Commission (FERC) hydroelectric license as well as the adjacent and proximate watershed lands in utility ownership.

The inventory shall be prepared and submitted as GIS base maps at the standard United States Geological Survey (USGS) 7.5 minute quad topographic map size organized by County at the scale of 1 inch to 24,000 feet, or for small parcels, 1 inch to 2,000 feet, showing the generation facility ownership boundary lines and identified by a reference number and name.³ Specifically, for the hydroelectric lands, the map should show the FERC boundary area and the boundaries of the non-FERC watershed lands in utility ownership. The maps shall also include: township and range, roads, reservoirs, lakes, streams, and adjacent public and private lands (by a general designation of non-utility lands without specific ownership information).

Accompanying the maps shall be a document providing, in table form, the following information organized by county:

- Reference number and name for designated mapped land and State Board of Equalization (SBE) number, if applicable to the specific utility;

² Adapting the definition found in Pub. Util. Code § 217, “generation facility” here includes all real estate, fixtures and personal property owned, controlled, operated, or managed in connection with or to facilitate the production or generation of electricity.

³ SDG&E has informed staff that its maps will be at the 1 inch to 2,000 feet scale.

- Address if available;
- Name and description of generation facility, including if applicable FERC number, in a form that would not constitute Critical Energy Infrastructure Information (CEII) as defined in FERC Order 630 if the information were furnished to FERC;
- Acreage of generation facility or FERC jurisdictional area and non-FERC adjacent watershed lands owned by the utility.

The inventory must be filed and served as follows:

1. GIS base maps in color hard copy and CD (pdf version) must be filed with the Docket Office and served on Commission staff, Billie Blanchard and Wendy Phelps, in accordance with Pub. Util. Code § 583. Color hard copy GIS base maps must also be served on the ALJ and assigned Commissioner.
2. A hard copy of the table of information must be filed with the Docket Office and served on the entire service list.

On the request of any party and payment by the party of the costs of reproduction, color hard copies of GIS base maps shall be provided to that party by the utility or its designated representative.

IT IS RULED that:

1. The content and format of the initial inventory to be provided by the respondent utilities are as set forth herein.
2. The initial inventory for each respondent utility as set forth herein shall be filed and served no later than September 30, 2003, in the manner specified herein.

Dated July 18, 2003, at San Francisco, California.

/s/ Anne E. Simon
Anne E. Simon

/s/ Michael R. Peevey
Michael R. Peevey

Administrative Law Judge

Assigned Commissioner

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Ruling of Administrative Law Judge and Assigned Commissioner Specifying Initial Inventory Requirements on all parties of record in this proceeding or their attorneys of record.

Dated July 18, 2003, at San Francisco, California.

/s/ Antonina V. Swansen
Antonina V. Swansen

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, *e.g.*, sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.